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PRE-APPEAL BRIEF REQUEST FOR REVIEW

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents", P. O. Box 1450, Alexandria, VA 22313-1450" On _____ September 14, 2005 Signature _____ *Vehtfaxt* _____ Typed or Printed name _____ Renée D. East	**Docket Number:** 1687(15722) ――――――――――― **Application No.: 10/054,539** | **Filed: 10/25/01** **First Named Inventor:** Benjamin J. Parker et al. **Art Unit: 2155** | **Examiner:** Aaron N. Strange

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
        Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
    See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
    (Form PTO/SB/96)

☒ attorney or agent of record.
    Registration Number ____ 31,123 ____

☐ attorney or agent acting under 37 CFR 1.34(a).
    Registration number if acting under 37 CFR 1.34(a). _____

Mark L. Mollon (signature)
Signature

_____ Mark L. Mollon _____
Typed or printed name

_____ 734-542-0900 _____
Telephone number

_____ September 14, 2005 _____
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, U. S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Benjamin J. Parker et al)	Group Art Unit: 2155
)	
Serial No.: 10/054,539)	Confirmation No.: 5974
)	
Filed: 10/25/2001)	Examiner: Aaron N. Strange
)	
For: Service-Based Network Packet Routing)	Attorney Docket: 1687(15722)
Redirection Using An Address Server)	

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REMARKS ACCOMPANYING REQUEST FOR
PRE-APPEAL BRIEF CONFERENCE

Honorable Sir:

Pursuant to the procedure specified in the Notice published in the Official
Gazette on July 12, 2005, review is requested for the following reasons.

The final rejection contains clear errors in that proper motivation for
combining the references has not been shown.

Claims 1-3, 8, 10, and 11 stand rejected under 35 USC 103(a) as being
unpatentable over Zhang et al in view of RAD Data Communications.

As explained on pages 5 and 6 of the amendment filed March 22, 2005, the
rejection employs impermissible hindsight in an attempt to reconstruct the elements of
the claimed invention. The fact that a DNS-like address server has advantages in the
claimed context is not sufficient to show motivation to combine the DNS system of

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RAD with the service selection gateway of Zhang in such a way that the claimed limitations are produced.

As pointed out on page 2 of the amendment filed July 25, 2005, the setting up of a prior art network with multiple service selection gateways caused the network technician to have to reconfigure each of the many gateways with the new numerical addresses when new resources were to be used by the gateways. Thus, when there is a hardware change in the support resources even though there is no actual change in options available from the service selection gateways, the technician still had to reconfigure each one of the gateways. In the present invention, the technician only has to reconfigure the numerical address given in the address server because the gateways have been configured with a logical name for each service option. The gateway in the present invention is modified to look-up an address of a resource rather than being directly configured to contain the numerical address. One change of the numerical address automatically results in each gateway finding the correct resource.

The objective of the present invention is not to make configuring of the service selection gateways easier; it is to avoid reconfiguring them at all when service-option resources are changed. In paragraph 2 of the Advisory Action mailed August 11, 2005, it is stated that the "administrator in question does not configure the address servers." This statement is extraneous to the actual problem existing in the prior art and is contrary to the specification. The service options made available to a user via the service selection gateways change only rarely compared to the frequency of changes made in the actual network hardware supporting the options. As shown in Figure 8, the present invention *does* pertain to modification of the IP addresses on the address server. As has been pointed out on pages 2 and 3 of the amendment dated July 25, 2005, in configuring addresses for the service option resources, an administrator would have to always know both the numerical address and logical name. Without advance and complete knowledge of both, the administrator could not set up the necessary configurations to cause the gateways to convert one representation into the other. Thus, in implementing the present invention, not only does the administrator still need to always know the numerical address, they must now know the additional

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information of the logical name. The rejection proposes an added convenience of the administrator that motivates the combination. However, no such added convenience exists and the proposed motivation fails.

With respect to the separate task of administrative set-up of the service selection gateways, speculation of existence of a distinct advantage in the proposed combination is unwarranted. Network set-up will always require configuration of numerical addresses at some point, and no network technician or other administrative personnel could expect to completely avoid exposure to numerical addresses. The technician needs a precise and reliable means of inputting a correct address. What is more important at the level of the technician is avoidance of errors since any variance in spelling or in any of the characters in either a logical address or a numeric address will cause an address failure. There is no reason to suggest that use of a DNS-like system would reduce errors or otherwise provide an advantage to the technician which would justify the added network overhead and additional hardware that is required. Thus, there is no prima facia motivation to combine RAD with Zheng et al.

The function of a service selection gateway is to re-direct traffic, i.e., to substitute a new address into the traffic according to the services for which the sender is authorized to use. The prior art has used gateways in which an actual, numerical address is stored in the gateway pointing to the service options available. The use of logical names and an address server for providing the addresses to which traffic is to be re-directed is absent from the prior art. The failure of the prior art to have adopted the technique of the present invention and instead continuing to use manual reconfiguration of service selection gateways demonstrates that the claimed invention was not obvious.

In view of the foregoing reasons, claims 1-15 are in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,

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Dated: September 14, 2005
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